

State of California
Construction & Engineering Emergency Function #3

Advisory Council Charter

September 27, 2010

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I. Construction and Engineering Emergency Function #3 (EF #3)

A. Overview

The Construction and Engineering Emergency Function (EF #3) represents an alliance of discipline-specific stakeholders, which possess common interests and share a level of responsibility to provide emergency management services related to construction and engineering during all phases of emergency management. Construction and Engineering EF #3 stakeholders will work together within their statutory and regulatory authorities to effectively and efficiently mitigate, prepare for, respond to and recover from emergencies. The Construction and Engineering EF #3 Advisory Council is a key entity within the Construction and Engineering EF #3 organization structure.

As the Construction and Engineering EF #3 matures through the development and maintenance process:

- Stakeholders and members of the emergency management community will be brought together to collaboratively prepare for, effectively mitigate, cohesively respond to and effectively recover from an emergency or disaster
- Construction and Engineering EF #3 will be fully functional, the Annex will be refined, and ongoing maintenance processes will be defined and implemented
- Stakeholders will be aware of their responsibilities and possess the tools necessary to effectively participate during an emergency or disaster
- Prompt and effective support for construction and engineering will be available to emergency responders when an emergency or disaster occurs

B. Mission Statement

Construction and Engineering EF #3 provides for technical advice and evaluation, engineering services, and contracting for construction management and inspection of critical infrastructure, to assist the State in meeting goals related to lifesaving and life-sustaining actions, damage mitigation, and recovery activities through all phases of emergency management.

II. Construction and Engineering EF #3 Advisory Council

A. Advisory Council Charter

The Construction and Engineering EF #3 is tasked with overseeing and providing guidance to support the development, implementation and maintenance of the Construction and Engineering EF #3 Annex to the State of California Emergency Plan, with the participation of State stakeholders and non-State stakeholders. The Advisory Council will serve as the steering group for Construction and Engineering EF #3 and will evaluate the recommendations developed by the Operations Team and Technical Working Groups.

The Advisory Council's scope includes providing oversight, guidance, approval and decision-making to ensure the initiation and completion of Step 2: Operational & Resources Details and Step 3: Long Term Development & Maintenance for the Construction and Engineering EF #3, as specified in the California Emergency Function Annex Workbook. Specific responsibilities include:

- Providing guidance to the Operations Team as they develop operating procedures and support ongoing maintenance
- Assisting the Lead Agency and Cal EMA in setting multi-year goals and objectives
- Fostering participation and jurisdictional commitment among all stakeholders
- Reviewing and making recommendations regarding issues that could not be resolved by the Operations Team or Technical Working Groups
- Reviewing and providing input on proposals and/or recommendations submitted by the Operations Team or Technical Working Groups

The charter is a living document that will undergo review in conjunction with each update of the Construction and Engineering EF #3 Draft Annex.

B. Advisory Council Membership

The Advisory Council is comprised of members who represent 26 entities, including one member from the State Consumer Services Agency (SCSA) representing Construction and Engineering EF #3, 16 members representing the remaining Emergency Functions and 9 members representing the Construction and Engineering EF #3 private and public partner stakeholders, which include local government and tribal representatives. Once the

Construction and Engineering EF #3 is established to include public and private stakeholders, SCSA may reevaluate and may change the composition of Advisory Council members. A confidential membership roster is included in this document as Appendix A.

Advisory Council members will be appointed by the leadership of the organization they represent. At the initial Advisory Council meeting, members shall draw lots so that the term of one half of the Members shall expire at the end of one year and the term of the remaining one half shall expire at the end of two years. Thereafter, the terms of Members shall be for two years.

Those designated to be members of the Advisory Council should have the knowledge and authority to formulate advice and make decisions on behalf of their constituents, attend the pre-scheduled meetings and be available to respond to ad hoc requests from the Advisory Council or Chair. The minimum required time commitment is approximately four hours per quarter as well as attendance at quarterly meetings held throughout California.

C. Chair and Vice Chair Roles & Responsibilities

SCSA is the Lead Agency for the Construction and Engineering Emergency Function. The member representing SCSA will chair the Advisory Council. The Vice-Chair position will rotate among the other Advisory Council members. The Advisory Council shall elect or nominate the Vice Chair and may also nominate additional members and participants as appropriate.

1. The Advisory Council Chair

The Advisory Council Chair is responsible for the following activities:

- Preside over all regular and, if required, ad hoc meetings
- Oversee the coordination of Advisory Council meetings, working with the Operations Team to set the time and location of such meetings
- Coordinate with the Operations Team to create and distribute an agenda for the Advisory Council meetings two weeks in advance of each meeting date and provide read-ahead material a week in advance
- Ensure that the Operations Team maintains responsibility for all records of Advisory Council Meetings, including but not limited to the original charter, minutes, white papers, correspondence, and the membership roster

- Collaborate with Cal EMA on Construction and Engineering EF #3 work plan support and funding
- Define meeting protocols (e.g., Roberts Rules of Order, Informal, Ad hoc)

2. The Advisory Council Vice-Chair

The Advisory Council Vice-Chair is responsible for the following activity:

- Preside over meetings in the absence of the Chair
- Coordinate efforts of the Construction and Engineering EF #3 Technical Working Groups

D. Advisory Council Meeting Frequency

The Advisory Council shall meet quarterly or more often based on activity. Ad hoc meetings of the Advisory Council can be called by the Chair or the Lead Agency. Advisory Council members may request a meeting by submitting the request to the Chair. Advisory Council members who miss two consecutive meetings without appropriate representation on a regular basis may be replaced.

E. Advisory Council Communication Protocols

The primary method of communication will be via direct contact (i.e., Construction and Engineering EF #3 Advisory Council meetings, teleconferences and/or videoconferences). The secondary method of communication will be via email and/or fax.

III. Construction and Engineering EF #3 Governance Structure

A. Lead Agency

SCSA is the Lead Agency for the development, implementation and maintenance of the Resources EF #7. Responsibilities include the following:

1. Secure and maintain appropriate staff for key Construction and Engineering EF #3 leadership and support positions to ensure effective ongoing development and maintenance
2. Provide guidance and direction to the Advisory Council, Operations Team and Technical Working Groups

3. Set multi-year goals and objectives
4. Foster participation and jurisdictional commitment
5. Review, arbitrate and make final determinations regarding unresolved issues
6. Review and coordinate proposals/recommendations submitted by the Construction and Engineering EF #3 Operations Team or Technical Working Groups
7. Monitor the Construction and Engineering EF #3 Operations Team and Technical Working Groups to ensure completion of assignments

B. Advisory Council

The Advisory Council is tasked with overseeing and providing guidance to support the development, implementation and maintenance the EF #3 Annex to the State of California Emergency Plan. Responsibilities include the following:

1. Provide guidance
2. Assist in setting multi-year goals and objectives
3. Foster participation and jurisdictional commitment among stakeholders
4. Review and make recommendations regarding unresolved issues
5. Review and provide input on proposals/recommendations submitted by the Construction and Engineering EF #3 Operations Team or Technical Working Groups

C. Operations Team

The role of the Operations Team is to develop and enhance the Construction and Engineering EF #3 operating procedures and support its ongoing maintenance. A confidential membership roster will be developed and maintained. Responsibilities include the following:

1. Respond to the needs and directives of the Lead Agency, Cal EMA, Advisory Council, other EFs, or other entities
2. Report findings and recommendations to the Lead Agency, Cal EMA and Advisory Council

3. Develop and submit for approval work products that support the Construction and Engineering EF #3 to the Lead Agency, Cal EMA and Advisory Council
4. Ensure staff work is completed to a level that allows sufficient basis for decision-making
5. Keep the Lead Agency, Cal EMA and Advisory Council apprised of its progress and the progress of Technical Groups
6. Provide support to the Lead Agency, Cal EMA and Advisory Council which could include: maintaining rosters of the Advisory Council and Technical Working Groups, document control, printing, preparation of meeting agendas and minutes, travel arrangements, preparation of monthly or bi-monthly status reports, or other administrative and technical needs of the Council.

D. Technical Working Groups

Technical Working Groups may be formed as needed to address issues or concerns and may be either standing or ad hoc in nature, depending upon the issue. They will be formed under the direction of the Construction and Engineering EF #3 Advisory Council and/or the Operations Team. The membership of the team will be decided by the Operations Team. Membership will be kept to the minimum necessary to represent the functional area and with the necessary expertise to staff the issue. A confidential membership roster for each standing Technical Working Group will be developed and maintained. Responsibilities of each Technical Working Group include the following:

1. Develop a project charter for its establishment
2. Respond to the direction of the Operations Team
3. Develop and submit for approval work projects that support the Construction and Engineering EF #3
4. Ensure staff work is completed to a level that allows sufficient basis for decision-making
5. Keep the Operations Team apprised of its progress

E. Construction and Engineering EF #3 Stakeholders

Construction and Engineering EF #3 stakeholders will be integrated into the development and maintenance process and may be asked to participate in Technical Working Groups to address specific issues.

IV. Construction and Engineering EF #3 Decision-Making Process

Decision-making provides the means within which to develop consensus, collaboration and resource sharing during all four phases of emergency management (mitigation, preparedness, response and recovery). No one stakeholder will be subordinate to another and all will retain their respective authorities. In addition, the following decision-making process does not change or impact the decision-making process of an Emergency Operations Center (EOC) in the response phase of an incident or disaster.

The Construction and Engineering EF #3 Advisory Council will categorize issues requiring decisions as follows:

- a. Developmental — Issues which involve the development of new or modification of existing products developed by Construction and Engineering EF #3
- b. Policy — Issues that impact the management of the Construction and Engineering EF #3
- c. Procedural — Issues that impact the operation of the Construction and Engineering EF #3
- d. Informational — Issues of general interest related to Construction and Engineering EF #3

The general procedures for decision-making are as follows:

- a. The Construction and Engineering EF #3 Operations Team will provide the required staff to analyze issue impacts and recommend a course of action to be taken.
- b. Staff work can involve the use of Technical Working Groups. When products are developed, they will be forwarded to the Construction and Engineering EF #3 Operations Team for review and approval. It will be the responsibility of the Construction and Engineering EF #3 Operations Team to determine the level of

involvement by the Advisory Council in review of Technical Working Group-developed products.

- c. Issues can be addressed at any organizational level (i.e., Technical Working Group, Operations Team, Advisory Council, or Lead Agency). The organizational level receiving the issue will have the responsibility of determining whether an issue will need to be elevated to the next level for resolution.
 - i. Technical Working Groups
Decisions are made by a simple majority vote. If an issue should arise in which a decision cannot be achieved, the unresolved issue will be forwarded to the Operations Team for review and resolution with an explanation as to the reason(s) for non-decision.
 - ii. Operations Team
Decisions are made by a simple majority vote. If an issue should arise in which a decision cannot be achieved, the unresolved issue will be forwarded to the Advisory Council for review and resolution with an explanation as to the reason(s) for non-decision.
 - iii. Advisory Council
Decisions are made by consensus. If an issue should arise in which a decision cannot be achieved, the unresolved issue will be forwarded to the Lead Agency for review and resolution with an explanation as to the reason(s) for non-consensus. The Lead Agency for Construction and Engineering EF #3 will coordinate with Cal EMA and the Management EF#5 to provide final resolution for any unresolved issues.
- d. The Construction and Engineering EF #3 Operations Team will assist in the exchange of information between all organizational levels of the Construction and Engineering EF #3.
- e. Decisions will be recorded and the recommendation provided to the Lead Agency in the form of a memorandum or other appropriate means.

Appendix A: Advisory Council Roster

Organization	Contact	Representing
US Army Corps of Engineers 1455 Market Street 20 th floor San Francisco, CA 94103	Mark Wingate 415-503-6615 mark.r.wingate@usace.army.mil	Federal Agencies
Department of Water Resources Emergency Preparedness & Security 1416 Ninth Street, Room 1140-7 Sacramento, CA 95814	Sonny Fong 916-654-6135 sonnyf@water.ca.gov	(CUEA, State Emergency Assessment Team)
California Environmental Protection Agency 1001 I Street Sacramento, CA 95814	Don Johnson 916-322-8284 donj@calepa.ca.gov	EF#10 (Lead Agency)
California Resiliency Alliance 701 Middle Ave Menlo Park, CA 94025	Peter Ohtaki 650-328-0300 pohtaki@caresiliency.org	Private Sector
American Construction Inspectors Association 530 South Lake Ave, #431 Pasadena, CA 91101	Dave Karina 714-960-7785 president@acia.com	Private Sector
Federal Emergency Management Agency 4440 Pinewood Ct Union City, CA 94587	Carl Nagata 510-627-7256 carl.nagata@dhs.gov	Federal Agencies
Sonoma County Indian Health Project, Inc. 144 Stony Point Road Santa Rosa, CA 95401	Tim Campbell 707-521-4530 tim.campbell@crihb.net	Tribal
City of San Francisco – Department of Public Works 30 Van Ness Ave, 5 th floor San Francisco, CA 94102	Raymond Lui 415-558-4585 raymond.lui@sfdpw.org	Local Governments
City of San Diego – Environmental Services Department 9601 Ridgehaven Court #310 San Diego, CA 92123	Sylvia Castillo 858-492-5032 smcastillo@sandiego.gov	Local Governments
California Highway Patrol 601 North 7th Street Sacramento, CA 95811	Captain L.D. Maples 916-843-3250 ldmaples@chp.ca.gov	EF #1 EF #14 (Co-Lead) EF #16
Office of the Chief Information Officer Public Safety Communications Division 601 Sequoia Pacific Blvd Sacramento, CA 95811	Daphne Rhoe 916-657-9482 daphne.rhoe@state.ca.gov	EF #2
California Department of General Services Office of Risk and Insurance Management 707 3rd Street, Room 460 West Sacramento, CA 95605	Michael Thomas 916-376-5286 office 916-804-6550 cell michael.thomas@dgs.ca.gov	EF #3 EF #7 EF #14 (Co-Lead)
California Emergency Management Agency 3650 Schriever Ave. Mather, CA 95655	Kim Zagaris 916-845-8726 kim.zagaris@calema.ca.gov	EF #4 EF #9 (Co-Lead)
California Emergency Management Agency 3650 Schriever Ave. Mather, CA 95655	Steve Sellers 916-845-8484 steve.sellers@calema.ca.gov	EF #5

Organization	Contact	Representing
California Department of Social Services Disaster & Client Services Bureau 744 P Street, MS-4-179 Sacramento, CA 95814	Randy Linthicum 916-657-1901 randy.linthicum@dss.ca.gov	EF #6
California Health and Human Services Agency 1600 9th Street Sacramento, CA 95814	Dr. Howard Backer 916-651-6450 hbacker1@chhs.ca.gov	EF #8
California Emergency Management Agency 3650 Schriever Ave. Mather, CA 95655	Paul Walters 916-845-8702 paul.walters@calema.ca.gov	EF #9 (Co-Lead) EF #13
Department of Toxic Substance Control 8810 Cal Center Drive Sacramento, CA 95826	Peter Guria 916-327-9558 pguria@calepa.ca.gov	EF #10
California Department of Food and Agriculture 1220 N Street Sacramento, CA 95814	John Rowden 916-651-0400 jrowden@cdfa.ca.gov	EF #11
California Emergency Management Agency 3650 Schriever Ave. Mather, CA 95655	Don Boland Executive Director 916-845-8518 don.boland@calema.ca.gov	EF #12
California Emergency Management Agency 3650 Schriever Ave. Mather, CA 95655	Tina Walker 916-845-8456 tina.walker@calema.ca.gov	EF #15
Cal Volunteers 1110 K Street, Suite 210 Sacramento, CA 95814	Sharron Leao 916-327-1081 sharron.leao@californiavolunteers.ca.gov	EF #17

Appendix B: Advisory Council Charter Sign Off

The signatures below designate approval of the Advisory Council Charter. This Charter may be amended by the mutual agreement of these parties.

SIGNATURE (Name & Organization)	DATE
Mark Wingate US Army Corps of Engineers	Date
Sonny Fong Department of Water Resources (CUEA, State Emergency Assessment Team)	Date
Don Johnson California Environmental Protection Agency	Date
Peter Ohtaki California Resiliency Alliance	Date
Dave Karina American Construction Inspectors	Date
Carl Nagata Federal Emergency Management Agency	Date
Raymond Lui City of San Francisco - Structural Safety and Emergency Management Division	Date
Sylvia Castillo City of San Diego	Date

SIGNATURE (Name & Organization)	DATE
Captain L.D. Maples California Highway Patrol	Date
Daphne Rhoe Office of the Chief Information Officer	Date
Michael Thomas Department of General Services	Date
Kim Zagaris Department of General Services	Date
Steve Sellers California Emergency Management Agency	Date
Randy Linthicum Department of Social Services	Date
Dr. Howard Backer Health and Human Services	Date
Paul Walters California Emergency Management Agency	Date
Peter Guria Department of Toxic Substance Control	Date
John Rowden California Department of Food and Agriculture	Date

SIGNATURE (Name & Organization)	DATE
Don Boland California Emergency Management Agency	Date
Tina Walker California Emergency Management Agency	Date
Sharron Leao CalVolunteers	Date